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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,595	12/15/2003	Hiroshi Watanabe	062709-0122	1453

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FOLEY AND LARDNER  
SUITE 500  
3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER
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JULES, FRANTZ F

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/734,595	Applicant(s) WATANABE, HIROSHI	
	Examiner Frantz F. Jules	Art Unit 3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                   |                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                              | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

*HL*

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 5-6, 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Schrottle et al (US 6,112,585).

Schrottle et al disclose a tire pressure detecting apparatus for a vehicle, comprising at least two terminals, each of the terminals comprising a tire pressure sensor (not shown) configured to detect a tire pressure; and a transmitter (not shown) configured to transmit tire pressure data based on the detected tire pressure since the Alpha Beta Electronics reference discloses a plurality of receiving antenna adjacent to at least each wheel, it is factual that each receiving antenna is coupled to a pressure sensor and an transmitter positioned at the tire for normal operation, see col 4, lines 48-50, at least two receivers (A, B, C, N), and a controller constituted by the multiplex circuit receiver controller as disclosed in col 5, lines 31-43, wherein each of the terminals is attached to a corresponding tire that is positioned in a respective area of the vehicle, wherein each of the receivers is attached to a part of the vehicle corresponding to an associated tire, wherein each of the receivers is configured to receive the tire pressure data transmitted by the transmitters and to detect a reception level of the received tire pressure data, wherein the controller is configured to identify the receiver that has the highest

Art Unit: 3617

reception level, wherein the controller is configured to obtain the tire pressure data from the identified receiver, and wherein the controller is configured to relate the obtained tire pressure data with the tire associated with the identified receiver, see the abstract section.

A display that is configured to display the obtained tire pressure data and the location of the tire associated with the identified receiver is provided in the vehicle as disclosed in col 1, lines 4-25.

3. Claims 5, 7-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Norman et al (US 6,018,993 A).

Norman et al disclose a tire pressure detecting apparatus for a vehicle, comprising a plurality of terminals (A-D), wherein each of the terminals comprising a transmitter and a receiver (antenna) is positioned proximate a corresponding tire of the vehicle, wherein each of the terminals is configured to detect a tire pressure of the corresponding tire, and wherein each of the terminals is configured to transmit a tire pressure signal corresponding to the detected tire pressure; and a controller (E), wherein the controller is configured to identify the pressure in, and the location of, each of the tires. Each of the receivers is coupled to a transmitter, wherein each of the receivers is configured to receive the tire pressure data transmitted by the transmitters and to detect a reception level of the received tire pressure data, wherein the controller is configured to identify the receiver that has the highest reception level, wherein the controller is configured to obtain the tire pressure data from the identified receiver, and wherein the controller is

Art Unit: 3617

configured to relate the obtained tire pressure data with the tire associated with the identified receiver, see col 4, lines 58-67, col 5, lines 1-13.

A radio signal strength indicator RSSI circuit comprising attenuator, rectifier and smoothing circuit configured to detect the reception level is provided in accordance with claims 7-8, see marked-up drawing.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norman et al in view of Stewart et al (2003-0197603 A1).

**Claim 6**

Norman et al teach all the limitations of claim 8 except for a tire pressure detecting apparatus comprising a display device. The general concept of providing a display configured to display the tire pressure data of a tire monitoring system fall within the realm of common knowledge and is well known in the art as illustrated by Stewart et al which teaches a display device for showing a tire pressure level. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Norman et al to include the use of a display device in his advantageous tire pressure detecting apparatus as taught by Stewart et al in order to allow alert a vehicle operator while improving on the safety in the vehicle.

Art Unit: 3617

## Claims 12-15

Regarding using configuring each of the receivers to receive tire pressure signals transmitted by all of the transmitters as recited in claim 12, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Norman et al to include the use of configuring each of the receivers to receive tire pressure signals transmitted by all of the transmitters in his advantageous system, as controller selection is a common and everyday occurrence throughout the tire pressure detection apparatus design art and the specific use of configuring each of the receivers to receive tire pressure signals transmitted by all of the transmitters would have been an obvious matter of design preference depending upon such factors as the loading on the transmitters, the pressure rating of the transmitter; the ordinarily skilled artisan choosing the best stress profile corresponding to a particular loading imposed on the side walls which would most optimize the cost and performance of the device for a particular application at hand, based upon the above noted common design criteria.

***Response to Arguments***

6. Applicant's arguments filed 06/03/2005 have been fully considered but they are moot in view of the new ground of rejection.

Claims 5-7 and 9-11 being anticipated by Schrottle and Norman et al are properly rejected in this new ground of rejection. The Schrottle et al reference and the Norman et al reference used in this new ground of rejection are listed in the newly submitted information disclosure statement.

***Conclusion***

Art Unit: 3617

7. Applicant's submission of an information disclosure statement under 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p) on 06/03/2005 prompted the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 609(B)(2)(i). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Mock et al are cited to show a closely related tire motoring system comprising a plurality of terminal, a transmitter and a receiver coupled to each tire.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 272-6681. The examiner can normally be reached on Monday-Thursday and every other Friday.

Art Unit: 3617

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules  
Primary Examiner  
Art Unit 3617

FFJ

June 10, 2005

**FRANTZ F. JULES**  
**PRIMARY EXAMINER**

A handwritten signature in black ink, appearing to read 'Frantz F. Jules', written over a horizontal line.